

## **MADISON COUNTY RESOLUTION 34-2015**

### **Sheriff's Service Fees**

Whereas, Montana Code Annotated (MCA) 7-32-2141 provides that the sheriff shall receive fees, if any, set by the county governing body; and

Whereas, MCA 7-4-2525 (1) provides that "The county governing body may annually, by resolution pursuant to MCA 7-6-4013, fix the fees of the sheriff for services provided in 7-32-2141, and for other services"; and

Whereas, the County Commissioners have set the Sheriff's fees in Resolution 8-2009; and

Whereas, the cost of answering false alarms throughout Madison County is cost prohibitive; and

Whereas, "Department" is defined as the Emergency Services for the county and includes the Madison County Sheriff, Fire, Emergency Medical, Disaster and Emergency Services and Search and Rescue; and

Whereas, "False alarm" is defined as an alarm signal emanating from an automatic alarm system or a manually activated alarm system, eliciting notification to and a response by the department when there is no evidence of a crime or other activity that warrants a call for immediate department assistance; and

Whereas, "False alarm" does not include an alarm signal emanating from an automatic alarm system, caused by violent conditions of nature or other extraordinary circumstances beyond control of the alarm user; and

Whereas, "Automatic alarm system" is any system, device or mechanism for the detection and reporting of any unauthorized entry, burglary, robbery, property damage or fire upon premises protected by the system that may be activated by sensors or other techniques and, when activated, automatically transmits an electronic message or emits an audible, visible, or electronic signal that can be heard, seen or received by persons outside the protected premises and is intended to summon "department" assistance; and

Whereas, Medical Alerts are not considered an "Automatic Alarm System" and are exempt from this fee.

Now, therefore, be it resolved that in addition to the fees set in Resolution 8-2009, the fee to install/or have in operation, an automatic alarm system will be a "one-time fee" of \$60; and

Be it further resolved, that said fees will be remitted to Madison County Sheriff's Office in accordance with MCA 7-32-2141 and Resolution 8-2009; and

Be it further resolved, that each alarm user location with an automatic alarm will be reviewed on an annual basis for false alarm violations; and

Be it further resolved, that each alarm user will provide a visible address signage for department responders; and

Be it further resolved, that any alarm user location with three (3) or more false alarm violations during the annual review will have to remit \$100 fee for each violation in excess of two (2) per year; and

Be it further resolved, that the Sheriff and/or Madison County DES representative who has jurisdiction over the identified false alarm may be contacted by the alarm owner to explain the circumstances surrounding their false alarm in order to determine if the alarm shall be counted against their false alarm responses for the calendar year. The Sheriff or DES representative will have final determination in the matter. Alarm owner may appeal to the county commissioners.

Be it further resolved, that a portion of "False Alarm" fees may be remitted to each responding department according to the number of responses annually, from said department; and

Be it further resolved, that if the fee is not received by the county, the "department" for Madison County may opt to not respond to the alarm; and

Be it further resolved this act is effective January 1<sup>st</sup>, 2016 on passage and approval:

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James P. Hart, Chairman

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Ron Nye, Commissioner

\_\_\_\_\_  
David Schulz, Commissioner

Attest: \_\_\_\_\_  
Peggy Kaatz-Stemler  
Clerk & Recorder.